



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

MEH:ddj  
Docket No: 3364-99  
21 September 1999

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 September 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 ~~of 1985~~ of 19 August 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



**DEPARTMENT OF THE NAVY**  
**NAVY PERSONNEL COMMAND**  
**5720 INTEGRITY DRIVE**  
**MILLINGTON TN 38055-0000**

1160  
PERS-815  
19 Aug 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS  
Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 20 Apr 99  
(b) NAVADMIN 002/94  
(c) NAVADMIN 081/94

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.

- Petitioner reenlisted on 02 Mar 1994 for 4 years to have sufficient obliserve for BUPERS orders to NAVCOMTELSTA NAS NORTH ISLAND, CA. Petitioner's EAOS at the time was 04 Mar 1994. Reference (b) did not carry a SRB entitlement for the RMSW rate at the time petitioner reenlisted.


- Reference (c), released on 12 May 1994 with an effective date of 31 May 1994 carried a zone "A" SRB entitlement for the RMSW rate.

- Petitioner requests to expunge the reenlistment date of 02 Mar 1994 to effect a reenlistment within the SRB eligible window of reference (c) and receive the zone "A" entitlement.

- BUPERS/OPNAV cannot provide information pertaining to subsequent SRB NAVADMIN's until the NAVADMIN has been released. Therefore the petitioner could not have been counseled concerning reference (c) prior to the reenlistment. Petitioner's hindsight is not sufficient grounds to expunge the 02 Mar 1994 reenlistment as no error or injustice was committed.

2. In view of the above, recommend petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

  
S. R. CHRISTY  
Head,  
Reenlistment Incentives Branch